

Minutes
Town of Lake Park, Florida
Town Commission Meeting
October 6, 2004, 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Town Commission Meeting on Wednesday October 6, 2004 at 7:30 PM. Present were Mayor Castro, Vice Mayor Balias, Commissioners Carey, Daly and Garretson, Town Manager Doug Drymon, Town Attorney Tom Baird and Interim Town Clerk Stephanie Thomas.

Commissioner Daly led the Invocation.
Vice-Mayor Balias led the Pledge of Allegiance.
Interim Town Clerk Stephanie Thomas performed the Roll Call.

ADDITIONS/DELETIONS

Addition of the Regular Commission Meeting minutes of the September 1, 2004 meeting.

Motion: A motion was made by Vice-Mayor Balias to approve the October 6, 2004 Agenda; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Balias	X		
Mayor Castro	X		

Motion passed 5-0.

PRESENTATIONS:

Presentation of Proclamation to Roger Williams Jr.

Motion: A motion was made by Vice-Mayor Balias second by Commissioner Garretson to approve the Proclamation

Vote on Motion:

Commission Member	Yes	No	Other
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Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0

Presentation of Proclamation to Eddie Cowart

Motion: A motion was made by Vice-Mayor Balius to approve the Proclamation;
Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0

PUBLIC COMMENTS

The following person(s) addressed the Commission:

Lennie Cotrell, Park Avenue – Congratulate the town of a job well done.

Bert Bostrom, Flagler Boulevard, indicated that she felt the Town did very well after both Hurricanes compared to neighboring cities.

CONSENT AGENDA

Regular Commission Meeting Minutes of September 22, 2004.

Regular Commission Meeting Minutes of September 1, 2004.

Motion: A motion was made by Commissioner Daly to approve the Consent Agenda.
Vice-Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0

ORDINANCES

None

RESOLUTIONS

None

DISCUSSION AND POSSIBLE ACTION:

Authorization to allow Finance Director Cynthia Sementelli to sign the Fidelity Federal Online Agreement.

Motion: A motion was made by Commissioner Garretson to authorize Finance Director Cynthia Sementelli to sign the Fidelity Federal Online Agreement. Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0

Community Redevelopment Agency Business Disaster Recovery Services.

Before a motion could be made by the commission the Mayor requested a presentation from staff regarding the CRA Business Disaster Recovery Services sites. The Town Manager Doug Drymon explained that at the Special Call meeting on September 29, 2004 it was indicated that the Commission wanted to try and have some of the CRA money applied toward disaster recovery services, which is why this item was brought before the commission at this meeting. The Town Manager asked the Commission for direction as to where the Commission would like to go in using the CRA further. After discussion it was the consensus of the Commission to table this item until the next scheduled CRA Board Meeting and have staff supply an outline with criteria's and other recommendations.

Hurricane Preparedness Matters

Mayor Castro:

The Mayor indicated that he was very proud of the PBSO Duty's, PBC Fire Rescue and the Public Works staff for their efforts during both Hurricanes Frances and Jeanne. The Mayor then expressed his serious concerns as it relates to Hurricane Preparedness and being ready after the first storm. After the first storm, which was a category 2 slow moving storm, we had significant damage. Tree and power lines poles were down and our Public Works guys were there Sunday morning after the storm working. He felt that we could have learned more after this storm, maybe set-up channel 18 with an Emergency Operations video from PBC Fire Rescue on what to expect, and where temporally Town Hall would be relocated. Issues like what to do before the storm and after the storm would be aired for citizens to be made aware. An EOC - Emergency Operations Center should have been set-up before both storms. The manager of Public Works, Assistant manager, the Marina manager and the Planning manager should have been meeting with the Town manager the Friday before the storm. That should have been set-up over at the police station because they have generator power. The EOC, while geared up for emergency services was probably a little bit awkward because it was further away from Town Hall. At the police station there was an officer's there and during the second storm all the curfew violators were being processed out of that location, which didn't happen after the second storm. Essential personnel should have told to report to work on Sunday to clear streets, put up stop signs where lights were down and clear drains where flooding occurred, which didn't happen after Hurricane Jeanne. As a matter of fact, Sunday after the storm the Mayor saw our Town Manager one time about 9:30 or 10 a.m. and didn't see another town employee for the entire day or that evening. The Mayor was all day on the streets, at the police station or over at Publix trying to get food for the deputies. Not one employee was working the day after Hurricane Jeanne a category 3 storm with severe flooding on Lake Shore Drive and some flooding on some other premeditated streets. There was only one employee that the Mayor saw all day and that was the new Planning Director who was working out of the police station. The Mayor commended the Commissioners who worked with him on getting donations from Publix to feed the deputies and some of the residents that stopped by. It was very important that we showed our support, especially on the first three days after the storm, to the deputies and they appreciated it. Town Hall should have been operated out of the police station the Friday before the storm, where we knew there would be generator power, not Monday which was a day and a half after the storm. This would have allowed us more time to serve our residence, to set-up phone lines. so that if residents needed help had a place to call. This could have been done through channel 18 giving the numbers that

residents could call, which had been done after the first storm. The town had set-up volunteers along with Commissioner Garretson and helped in this fashion after the storm. But none of this occurred. There was no set-up at the police station after Hurricane Jeanne and that is uncongenial in the Mayor's opinion. There should have been contact between public and private partnerships. The Mayor went to Publix at around 9 a.m. after the storm and the Manager allowed the town to fill up the cart with what was need for the deputies and special needs people to serve them. The Commission served meals to special needs families. There was no employee that did anything like this for our citizens. There was no contact with Publix, Wal-Mart, Winn-Dixie, Cheney Brothers or any others for contributions that help us during our time of need. The Mayor indicated that if any of these organizations would have been contacted that they would have helped. This might have been done Monday or Tuesday but only after the Mayor called. There was no contact with the Media by any of the staff, until Monday morning when the Mayor started making the calls. At 4 a.m. Sunday morning the Mayor was on the phone with Channel 5 and then again at 7 a.m. and also with Clear Channel, which the Mayor made a point to make these phone calls. Also during Hurricane Frances there was no attempt by staff to alert the media to let them know what was going on in our town. The Mayor personally had to make hours of phone calls to the Red Cross, Salvation Army, our Representatives and Senators to try and get Aid in Lake Park. The Mayor does not feel that the town was served by our management team very well in the aspect of trying to receive Aid. There should have been a comfort station set-up for our residents, which could have been advertised on Channel 18. Residents would have had a place to go to get a cold drink, maybe a Danish, and come to the air conditioned Police Station. There were no employees working the day after a category 3 hurricane. No Emergency Operation Center was set-up, and no support staff was working except the Palm Beach County partners, which were Sheriff's Office and Fire Rescue on Sunday. The Mayor indicated that he found this to be uncongenial and quiet disturbing. This is all the Mayor had to say at this point, but would have more to add later in the meeting.

Commissioner Garretson:

Commissioner Garretson indicated that unfortunately the Town would get better at this, it's really unfortunate to say that, but the Town would and he hoped that we never have another Hurricane in 50 or 60 years but the probability is that we will. So here it goes and this is what we need to do. First of all there will be a workshop on this. The workshop will consist of 4 items. The number one item should be a new plan where leadership, staff, volunteers and special needs and how we are going to handle the town, this plan should be redrawn. Number two our facilities; we should go through a put a budgetary item to have a generator in the Town Hall building including an emergency line going from facility to another. The Police station, next door, can not handle the amount of residents that would come in for a break, which is probably why we did not advertise, we were not prepared for 10 thousand residents to come in a blow off steam. If the town had these two facilities under generator power then we could handle lots of people. We would need to get Town Hall running, not only the Police Station. Number three supplies; we will a way to get supplies and a way to cook those supplies. Number four we need to have some sort of stress relief counseling. spending several days with out power can be very stressful to our residents. There should be a plan in place for after the storm. The worse part of a hurricane is not the hurricane itself but what happens after. With these four things that the Commissioner mentioned should be discussed at the workshop with public input to come to some decisions. Hopefully there won't be a next storm, but with half the season over. Maybe a

workshop should be done before February 2005, like in a month from now. Hurricane season ends November 30th, which is not that far away. By the way, it is the Commission's job to be volunteers, not town employees. Commissioner Garretson opinion was that Commissioner should pick-up the slack where needed.

The Mayor interjected and corrected Commissioner Garretson in saying that it is not the job of the Commission to manage a crisis situation. The Mayor indicated that there was no management and in his opinion and there was misconduct of a public official. As far as the Mayor is concerned there was failure to conduct the official duty and that is called malfeasance and nonfeasance, and these are the Mayor's opinion. It is the job of the Commission to volunteer and do what they can, but it is not their job to manage the town after a catastrophe like the Town faced.

Commissioner Daly:

Commissioner Daly mentioned that there are many items that need to be addressed and many have already been mentioned. However one being Park Avenue and Lake Shore, not so much Lake Shore as the Condo's between Lake Shore and US 1. This is not the first, second or even third time that these Condo's have been flooded. Water is going in one door and out the other door. It is realized that this water runs into the Intercostals, however if the Town employees had been available to go to work on Sunday morning the drains might have been cleared and not waited until Monday. It was a shame that the water had to sit in a person's house for all these hours. Overall, in Commissioner Daly's opinion we did not have too much organization. There was no place for people go for supplies and Commissioner Daly had no answers for those individuals, and no direction from Town Hall. Commissioners went out and acted independently and did whatever was needed to get through the situation. He believes that we let the Town down and we could have done a better job had there been better direction from staff. There were other complains as well, such as there is long periods of time being shorted staffed. It took a year and a half to fill one position, and several others that are vacant. Staff needs to be up-to-par or fully staffed so that everyone can do their job. It is not something that the Commissioner can understand. It is not clear why employees had to drag all the items need from one building to conduct business. There is plenty to do rather than having to do extra. The Commission has to address the fact that no one else is responsible for the Town Manager and all his staff and they are to allow these things to go on the Commission is doing a great injustice to the Town of Lake Park residents. This is one of the reasons that Commissioner Daly made a motion of no confidence of the Town manager.

Commissioner Garretson would like to make this an agenda item for the next commission meeting to discuss. The Mayor indicated that his motion was going to be to terminate the contract of the Town Manager.

In response to the comments that were made by the Town Commission, Town Manager Drymon indicated that he feels that the Town is moving in a positive direction. He addressed the vacant positions within the Town. Town Manager Drymon indicated that he has been working on several of the items that the Commission addressed. He indicated that there have been two additional appointments made; the Commission should expect

Commissioner Carey

Commissioner Carey stated that there are other issues aside from what had been addressed. He stated that there are morality issues that pertain to the employees and the fact that there have not been criminal background checks ran on new hires. Commissioner Carey indicated that he has made several attempts to communicate with Town Manager Drymon and has not received a positive response. Commissioner Carey feels that there are several important issues that have been put aside when they should have been looked into immediately.

Motion: A motion of no confidence of the Town Manager was made by Commissioner Daly; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson		X	
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Balius		X	
Mayor Castro	X		

Motion carried 3-2

Motion: A motion to reprimand the Town Manager for misconduct after Hurricane Jeanne. Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson		X	
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Balius		X	
Mayor Castro	X		

Motion passed 3-2.

Mayor Castro and Commissioners Daly and Carey indicated that there are more issues that are being taken into affect in making the decision of reprimanding Town Manager Drymon. Vice

Mayor Balius feels that the Town Commission should have requested to see the Hurricane Preparedness Plan; he feels that the entire Town could have collectively been better prepared. Vice Mayor Balius does not feel that the Town Manager is the only person to blame. Commissioner Garretson suggested that the Town Commission delay reprimanding Town Manager Drymon until the October 20, 2004 Regular Commission Meeting.

Special Code Enforcement Issues

There was consensus among the Town Commission to defer the aforementioned item to the next Regular Commission Meeting due to the lack of supportive documentation.

COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

Mayor Castro

Mayor Castro indicated that there is a problem with the Code Compliance Board. He suggested that he would like for the Special Master to address all the Code Compliance issues. Mayor Castro directed staff to draft a letter to Sheriff Bieluch indicating that the Town is not happy with the decision that he took in replacing Captain John Carroll. He stated that Captain Carroll did the best he could during his tenure.

Mayor Castro requested that residents place only one appliance out for pick up until the Sanitation Department is back on its regular schedule.

Commissioner Garretson

Commissioner Garretson reiterated that Staff needs to begin drafting the proclamations and thank you letters as soon as possible. Commissioner Garretson also tried to reinforce the importance of placing barricades around pools or other hazardous areas. He feels that because this is a life safety issue that it can be resolved in 24 hours or violators will be sited.

Commissioner Daly

Commissioner Daly stated that he would like staff to draft a letter to Florida Power and Light in reference to the maintenance of the electric poles. Commissioner Daly requested an update on the Marina.

Vice-Mayor Balius

Vice Mayor Balius requested an update on the Marina. Vice Mayor Balius publicly noted that there will be a joint meeting on October 7, 2004 in Palm Beach Gardens.

Commission Carey

Commissioner Carey commended the Public Works Department.

Town Attorney

Town Attorney Baird reported that a member of the Code Compliance Board has been acting as a Code Enforcement Officer. He also reported that the Chairperson from the Board also acted as an expert witness in the Kelsey Club case. Town Attorney Baird recommended that the Town and his law firm schedule a workshop to educate the members of the Code Compliance Board. Town Attorney Baird suggested that the Town refer next month's cases to the Special Master;

the Special Master will be able to dispose of the cases faster than that of an advisory board in that the Special Master possesses expertise and impartiality. He stated that the board can remain active; however the more complex cases should be directed to the Special Master.

Town Manager

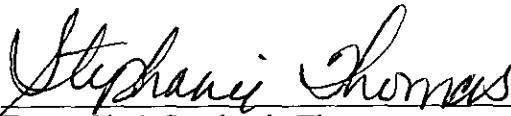
Town Manager Drymon publicly noted that Riverside Bank is accepting nominations from the public and/or Commission for the title of "Hometown Hero" that will be honored and recognized at a picnic that will be sponsored by the bank.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Balias and seconded by Commissioner Daly, and by unanimous vote, the meeting adjourned at



Mayor Paul Castro



Town Clerk Stephanie Thomas



Approved on 10/20/04



Town of Lake Park Public Comment Card

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Meeting Date: 10/6/04

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: Bertha Boston

Address: _____

I would like to make comments on the following **AGENDA ITEM(S)**:

Hurricane Matters

I would like to make comments on the following **NON-AGENDA ITEM(S)**:

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. *Comments must be limited to no more than three minutes per individual.*



Town of Lake Park Public Comment Card

Meeting Date: _____

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: _____

Address: _____

Lennie F. Catlett
550 Park Avenue, Lake Park, Ga.

I would like to make comments on the following **AGENDA ITEM(S)**:

I would like to make comments on the following **NON-AGENDA ITEM(S)**:

Comments on bond work after hurricane

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.



Town of Lake Park Public Comment Card

Meeting Date: 10/16

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: Diane Milner

Address: 1 Hawthorne Dr

I would like to make comments on the following **AGENDA ITEM(S)**:

hurricane issues

I would like to make comments on the following **NON-AGENDA ITEM(S)**:

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.